

Remarks/Arguments

In the Specification, the paragraph beginning on page 23 line 7 has been amended, and no new matter has been introduced.

Claims 1, 4, 6, 9, 12, 14, 20, and 22 have been amended. No new claims have been added. No claims have been canceled. Claims 1-24 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

Objection to the Drawings under 37 CFR § 1.84(p)(5)

The Examiner objected to the drawings as allegedly failing to comply with 37 CFR § 1.84(p)(5) because allegedly the Drawings included a reference sign 240 of Figure 2 not mentioned in the description. Applicants have reviewed the Drawings and the Specification and note that reference numeral 240 is mentioned on page 14, line 28 of the Specification. In particular, page 14, lines 25-29 of the Specification reads: "Process block 620 augments the Application Knowledge-Base 215 with dynamic information 225 obtained by an execution scanner or monitor 230 which collects the dynamic information 225 during the execution of an application program executable 235 produced by an assembler, compiler, or interpreter 240 from the computer program source code." Applicants therefore respectfully assert that the Drawings are in compliance with 37 CFR § 1.84(p)(5), and that there is no need for a proposed drawing correction, corrected drawings, or amendment to the specification. Applicants therefore

respectfully request the Examiner reconsider and withdraw the 37 CFR § 1.84(p)(5) objection to the Drawings.

Objection to the Specification under MPEP § 608.01(b)

The Examiner objected to the Specification under MPEP § 608.01(b) for the Abstract being over 150 words. Applicants have amended the Abstract without introducing any new matter so that the Abstract is no longer than 150 words, i.e., 131 words. Applicants therefore respectfully request the Examiner reconsider and withdraw the MPEP § 608.01(b) objection to the Specification.

Objection to Claims 4, 5, 7, 8, 12, 13, 15, 16, 20, 21, 23, and 24 as Allowable Subject Matter if Rewritten

The Examiner objected to claims 4, 5, 7, 8, 12, 13, 15, 16, 20, 21, 23, and 24 as being dependent upon rejected base claims, but allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Applicants have amended claims 4, 12, and 20 to be rewritten in independent form including all of the limitations of the base claim (claims 1, 9, and 17, respectively) and any intervening claims (claims 2-3, 10-11, and 18-19, respectively). Applicants respectfully request that the Examiner reconsider and withdraw the objection to claims 4, 5, 7, 8, 12, 13, 15, 16, 20, 21, 23, and 24.

Rejections under 35 U.S.C. §103(a) of Claims 1-3, 6, 9-11, 14, 17-19, and 22

The Examiner rejected claims 1-3, 6, 9-11, 14, 17-19, and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Greenfield*, U.S. Patent No. 4,931,928, in view of *Cline et al.*, U.S. Patent No. 5,313,616. Applicants respectfully traverse this rejection for the reasons set forth below.

The present invention provides for identifying a portion of computer program code as a candidate for a modification, comprising:

- scanning and parsing source code corresponding to the computer program code to determine static information concerning the computer program code;
- storing the static information in a database;
- collecting dynamic information concerning the computer program code during an execution of the computer program code;
- storing the dynamic information in the database;
- developing relationships and dependencies **responsive to the static information and dynamic information** stored in database;
- storing the relationships and dependencies in the database; and
- providing for a query of the database to produce a set of potential candidates of computer program code meeting a constraint of the query.

Regarding claims 1, 9, and 17, the Examiner argues that *Greenfield* (column 5, lines 32-40) teaches the fifth element of the present invention: “developing relationships and dependencies responsive to . . . information stored in database”. However, fifth element of the

present invention reads: "developing relationships and dependencies responsive to **the static information and dynamic information** stored in database". Thus, not only does *Greenfield* fail to teach the fifth element of the present invention, the Examiner also does not assert that *Greenfield* teaches the fifth element of the present invention. Neither does the Examiner assert that *Cline et al.* nor the combination of *Greenfield* and *Cline et al.* teach the fifth element of the present invention.

Even if one were to combine the teachings of *Greenfield* and *Cline et al.*, the combination still fails to teach or suggest the present invention as the combination merely results in a database storing static information and dynamic information, but not storing relationships and dependencies responsive to the static information and dynamic information. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 1, 9, and 17.

Relative to dependent claims 2-3, 6, 8-11, 14, 18-19, and 22, these dependent claims depend from independent claims 1, 9, and 17, respectively. Since these dependent claims depend from independent claims 1, 9, and 17, respectively, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 9, and 17, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 2-3, 6, 8-11, 14, 18-19, and 22.

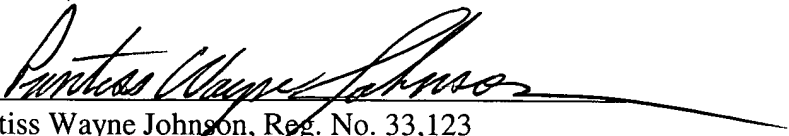
Prior Art Made of Record and Not Relied Upon

Applicant has reviewed the prior art made of record and not relied upon considered pertinent to Applicant's disclosure, and these fail to teach or suggest the claimed invention.

Conclusion

Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,
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